

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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SHARKEY JAMES,

Petitioner,

20 **CIVIL** 3468 (JPC)(SDA)

-against-

JUDGMENT

WILLIAM F. KEYSER,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated January 9, 2023, the Court finds Petitioner's Objections to be without merit, and therefore it has adopted the portions of the Report and Recommendation to which Petitioner has objected. The Court has additionally reviewed for clear error the remainder of the Report and Recommendation to which Petitioner did not object, and finds it to be well-reasoned and its conclusions well-founded. Consequently, the Report and Recommendation is adopted in its entirety and the Amended Petition is denied. As Petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253(c); see also, e.g., *Matthews v. United States*, 682 F.3d 180, 185 (2d Cir. 2012). The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the order would not be taken in good faith, and therefore in forma pauperis status is denied for an appeal. Cf. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962). Judgment is entered in favor of Respondent; accordingly, the case is closed.

DATED: New York, New York
January 10, 2023

RUBY J. KRAJICK

Clerk of Court

BY:

K. Mango

Deputy Clerk